

### **REMARKS**

Applicants have cancelled claims 45, 46, 48, 49, 53, and 56 without prejudice or disclaimer. Applicants have amended claims 47, 50, 54, and 57. Claims 35 to 42, 47, 50, 51, 54, 57, and 58 are pending and under consideration. Claims 1 to 34, 43 to 46, 48, 49, 52, 53, 55, and 56 are cancelled without prejudice or disclaimer.

Claim 47 has been amended to change the dependency of claim 47 from claim 46 to claim 35.

Claim 50 has been amended to replace the term "second antibody" with the word "reactant." Claim 50 has also been amended to remove the word "single" from the phrase "single SPZ." Those amendments are made so that claim 50 more closely tracks claim 35.

Claim 54 has been amended to replace the word "second" with the phrase "unattached, labeled." Claim 57 has been amended to remove the word "second" from the phrase "unattached labeled second antibody." Claim 57 also has been amended to remove the word "single" from the term "single SPZ." Those amendments are made so that those claims more closely track claim 51.

Thus, the amendments are fully supported by the specification and add no new matter.

In a telephone conversation on February 27, 2004, the Examiner suggested that applicants provide formal drawings. Applicants note that clean copies of each drawing sheet of the printed patent were filed with the copy of the Reissue Application filed on March 30, 2001, according to 37 C.F.R. § 1.173(a)(2). Solely to expedite prosecution,

applicants enclose courtesy copies of two formal patent drawings containing two figures. If necessary, applicants request that these drawing be made of record in the application.

In the telephone conversation on February 27, 2004, the Examiner also questioned whether the changes in the Certificate of Correction in parent United States Patent No. 4,861,711 ("the '711 patent") were incorporated into the copy of the '711 patent submitted by the applicants. The Certificate of Correction made two changes. First, it changed the word "aid" in claim 12, at column 10, line 28, to the word "said." Second, it changed the term "sheet-like" in claim 18, at column 11, line 19, to the term "substantially planar." The copy of the '711 patent submitted in this application on December 23, 2002, contained those changes in claims 12 and 18. Additionally, a copy of the Certificate of Correction was submitted along with the copy of the '711 patent on December 23, 2002.

In a telephone conversation on December 3, 2003, the Examiner suggested that he may reject certain claims of the application for obviousness-type double patenting, as allegedly being unpatentable over certain claims of U.S. Reissue Patent No. RE37,437. Solely to expedite prosecution, applicants enclose a Terminal Disclaimer and the required fee of \$110.00.

Applicants assert that pending claims 35 to 42, 47, 50, 51, 54, 57, and 58 are allowable and request a timely issuance of a Notice of Allowance. If the Examiner does not consider the application to be in condition for allowance, applicants request that he call Paul Barker at (650) 849-6620 to set up an interview.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

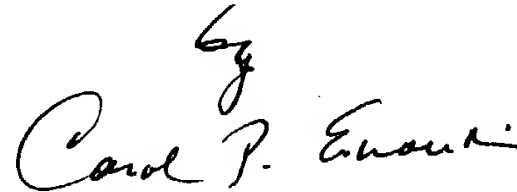
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 1, 2004

By:



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Ref. No. 32,220